



24024

PATENT TRADEMARK OFFICE

CERTIFICATE OF TRANSMITTAL

I hereby certify that this document is being transmitted via First Class Mail to the Commissioner of Patents, Washington, DC 20231, on this 26th day of December, 2002.

Jacqueline K. Boyer

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: Warner et al.

Serial No. 09/752,136

Filed: December 27, 2000

Title: VARIABLE SPEED DRIVE SYSTEM

Group Art Unit: 3682

Examiner:

Docket No. 12052/04000

TRANSMITTAL OF RESPONSE AND AMENDMENT

FAX RECEIVED

OCT 06 2003

Commissioner of Patents
Washington, D.C. 20231

PETITIONS OFFICE

Sir/Madam:

Following documents, enclosed herewith, are submitted in response to the Office Action dated September 25, 2002:

- (1) Response and Amendment (9 pages);
- (2) Marked Specifications and Claims (3 pages);
- (3) Drawings (2 pages);
- (4) Fee Transmittal (1 page); and
- (5) A return receipt postcard.

Additional fees are due for three new dependent claims (small entity rate) in connection with this amendment. The Examiner is authorized to charge deposit account 03-0172 for these fees. In the event that any additional extension is required, please treat this Transmittal Letter as a request for such additional extension.

Respectfully submitted,

James A. Balazs

James A. Balazs, Reg. No. 47,401
CALFEE, HALTER & GRISWOLD
800 Superior Avenue, Suite 1400
Cleveland, Ohio 44114-2688
(216) 622-8527

This document is being deposited with the United States Postal Service with sufficient postage via First Class Mail addressed to Assistant Commissioner of Patents, Washington, D.C. 20231, on this 27th day of December, 2002. With a certificate of mailing.

In re application of Warner et al.
Serial No.: 09/752,136
Filed: December 27, 2000
CH&G Ref: 12052/04000 (JAB:jkb)



Please acknowledge receipt of the following:

- Transmittal in duplicate (1 page)
- Amendment (14 pages)
- Fee Transmittal (1 page)
- Return Receipt Postcard

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JAN 06 2003

L.A.K. IP. Dept.



CALFEE HALTER & GRISWOLD LLP
1400 McDonald Investment Center
800 Superior Avenue
Cleveland, Ohio 44114-2688

44114-2688



24092417 (10-01)

Approved for use through 10/31/2002, OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002 <i>Patent fees are subject to annual revision</i>		<i>Complete if Known</i> Application Number 09/752,136 Filing Date December 27, 2000 First Named Inventor Warner Examiner Name Group Art Unit 3682 Attorney Docket No. 12052/04000	
		TOTAL AMOUNT OF PAYMENT (\$0.00)	

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METHOD OF PAYMENT 1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number 03-0172 Deposit Account Name <input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27 2. <input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other		FEE CALCULATION (continued) 3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entry Fee (\$)</th> <th>Fee Code</th> <th>Small Entry Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>116</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - 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** or number previously paid, if greater. For Reissue, see above

* Reduced by Basis Filing Fee Paid

SUBTOTAL (3) (5)

SUBMITTED BY Name (Print/Type) James A. Balazs Signature <i>James Balazs</i>		Registration No. (Attorney/Agent) 47,401 Telephone (216) 622-8200 Date 12/26/02	
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I hereby certify that this document is being transmitted
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of October, 2003.

Printed Name Joyce FurdSigned: Joyce Furd**OFFICIAL****FAX RECEIVED**

OCT 10 2003

GROUP 3600**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Warner et al.

) Examiner: Marcus Charles

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) Art Unit: 3682

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Serial No.: 09/752,136

Filed: December 27, 2000

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For: **VARIABLE SPEED DRIVE
SYSTEM**

) Attorney Docket: 12052/04000

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Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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PETITIONS OFFICE**INFORMATION FOR WITHDRAWAL OF ABANDONMENT - PTO HAS NO
EVIDENCE THAT MAILED CORRESPONDENCE RECEIVED****REQUEST**

Applicant requests that the abandonment in this case be withdrawn. Applicant has
attached a request and the documents to support the request, the request and documents being
previously filed by U.S. mail on July 10, 2003. The documents include:

1) A copy of PAIR summary sheet showing entry (7/14/03) of Withdrawal

Request submitted by U.S. mail.

- 2) A copy of the page of the response mailed on December 26, 2002, showing a Certificate of Mailing executed on December 26, 2002.
- 3) A copy of the post card identifying the papers filed and showing the U.S. PTO receipt stamp dated December 31, 2002.
- 4) A copy of the complete response previously filed.

STATEMENT

Based on personal knowledge the Transmittal and Amendment (copies of which are attached) were transmitted by first class mail on December 26, 2002 and retransmitted on June 30, 2003 as part of a Request for Withdrawal of Abandonment. These mailings were timely responses to the Examiner's Office Action dated December 31, 2002 and Notice of Abandonment dated July 29, 2003. Please proceed with further examination of this application on the basis of the attached copy of the papers originally filed.

REQUEST FOR WITHDRAWAL OF ABANDONMENT

Acknowledgement of the active status of this application is respectfully requested. It is believed that no further fee is required relating to the filing of this Response. If this is not the case, the Patent Office is hereby authorized to charge any related fee to Deposit Account No. 03-0172.


James A. Balazs (Reg. No. 47,401)

10/6/03

Customer No. 24024



UNITED STATES PATENT AND TRADEMARK OFFICE

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Application Number:	09/752,136	Customer Number:	24024
Filing or 371(c) Date:	12-27-2000	Status:	Abandoned -- Failure to Respond to an Office Action
Application Type:	Utility	Status Date:	06-30-2003
Examiner Name:	CHARLES, MARCUS	Location:	TC 3600 PARALEGAL, PK5-8A03, 703-605-4328
Group Art Unit:	3682	Location Date:	10-03-2003
Confirmation Number:	5439	Earliest Publication No:	US 2001-0049312 A1
Attorney Docket Number:	12052-04000	Earliest Publication Date:	12-06-2001
Class/ Sub-Class:	474/018	Patent Number:	-
First Named Inventor:	Steven Warner, Kent, OH	Issue Date of Patent:	-
Title Of Invention: Variable speed drive system			

[Foreign Priority](#)[Continuity Data](#)**File Contents History**

Number	Date	Contents Description
19	07-14-2003	Petition Entered
18	06-30-2003	Mail Abandonment for Failure to Respond to Office Action
17	06-30-2003	Abandonment for Failure to Respond to Office Action
16	09-25-2002	Mail Non-Final Rejection
15	09-23-2002	Non-Final Rejection
14	07-17-2002	Date Forwarded to Examiner
13	07-11-2002	Response to Election / Restriction Filed
12	06-04-2002	Mail Restriction Requirement
11	06-03-2002	Requirement for Restriction / Election
10	06-15-2001	Information Disclosure Statement (IDS) Filed
9	03-18-2002	Information Disclosure Statement (IDS) Filed
8	06-15-2001	Information Disclosure Statement (IDS) Filed
7	08-18-2001	Case Docketed to Examiner in GAU
6	08-07-2001	Application Dispatched from OIPE
5	02-09-2001	Application Is Now Complete
4	02-09-2001	Incomplete Application under Rule 53(b) - Filing Date Assigned
3	02-09-2001	Correspondence Address Change
2	01-16-2001	IFW Scan & PACR Auto Security Review
1	12-27-2000	Initial Exam Team nn

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Deposited with the United States Postal Service with sufficient postage via First Class mail, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 10th day of July, 2003, with a certificate of mailing.

Re: Patent application for Warner et al. (Speed Selector Corp.)

Title: **VARIABLE SPEED DRIVE SYSTEM**

CHG Ref.: 12052/04000

Please acknowledge receipt of:

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JAB/jef

{JF3004.DOC;1}

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Joyce Ford

Signature

Joyce Ford

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Warner et al.

) Examiner: Marcus Charles

)

) Art Unit: 3682

Serial No.: 09/752,136

)

)

Filed: December 27, 2000

)

)

For: **VARIABLE SPEED DRIVE
SYSTEM**

) Attorney Docket: 12052/04000

)

Assistant Commissioner for Patents
Washington, D.C. 20231

**FAX RECEIVED
OCT 06 2003**

PETITIONS OFFICE

**INFORMATION FOR WITHDRAWAL OF ABANDONMENT - PTO HAS NO
EVIDENCE THAT MAILED CORRESPONDENCE RECEIVED**

REQUEST

Applicant requests that the abandonment in this case be withdrawn.

PROMPTNESS OF THIS SUBMISSION

This information is being submitted promptly after applicant has learned of the abandonment on the basis of: the Notice of Abandonment mailed by the PTO on June 30, 2003.

SUBMISSION

Submitted herewith is:

- 1) A copy of the page of the response mailed on December 26, 2002, showing a Certificate of Mailing executed on December 26, 2002.
- 2) A copy of the post card identifying the papers filed and showing the U.S. PTO receipt stamp dated December 31, 2002.
- 3) A copy of the complete response previously filed.

STATEMENT

Based on personal knowledge the Transmittal and Amendment (copies of which are attached) were transmitted by first class mail on December 26, 2002. This mailing was a timely response to the Examiner's Office Action dated September 25, 2002. Please proceed with further examination of this application on the basis of the attached copy of the papers originally filed.

REQUEST FOR WITHDRAWAL OF ABANDONMENT

Acknowledgement of the active status of this application is respectfully requested. It is believed that no further fee is required relating to the filing of this Response. If this is not the case, the Patent Office is hereby authorized to charge any related fee to Deposit Account No. 03-0172.

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PATENT TRADEMARK OFFICE

James A. Balazs

800 Superior Ave. Suite 1400

Cleveland, Ohio 44114



CALFEE, HALTER & GRISWOLD LLP

October 6, 2003

TO: Commissioner for Patents

CONFIRMATION

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I hereby certify that this document is being transmitted

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